

Appl. No.: 09/989,289
Filed: November 20, 2001
Page 10

REMARKS/ARGUMENTS

This Amendment is filed as a supplement to the Amendment filed August 7, 2003 in response to the May 7, 2003 Office Action. Applicants have added new claims 35-54 to the present case and claims 1-14 and 30-54 are now pending in the present application.

As discussed in the August 7, 2003 Amendment with respect to claims 1-14 and 30-34, the combination of Sherlock, Pelzer and Nakamura fails to teach or suggest a stabilizing rib extending longitudinally along the interior surface of the wall and located radially inward from the channel. Furthermore, this combination of references fails to teach or suggest that the wire used in the toneable conduit is capable of being torn out of the polymeric tube to allow the conduit and wire to be coupled. Wood, Pyramid, Craton, Tzeng and Bird fail to cure the deficiencies of the teachings of Sherlock, Pelzer and Nakamura. Accordingly, it is respectfully submitted that claims 35-54 (like claims 1-14 and 30-34) are patentable over the combination of the references cited by the Examiner in the May 7, 2003 Office Action.

Applicants respectfully submit that all the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. If any minor informalities need to be addressed, the Examiner is directed to contact the undersigned attorney by telephone to facilitate prosecution of this case.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

Appl. No.: 09/989,289
Filed: November 20, 2001
Page 11

therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

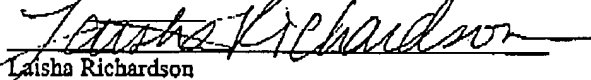


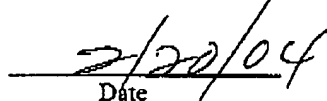
Andrew T. Meunier
Registration No. 40,726

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Atlanta Office (404) 881-7000
Fax Atlanta Office (404) 881-7777

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (703) 872-9306 on the date shown below.


Laisha Richardson


Date